

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARILYN N. WITHROW, DAVID J.  
WITHROW, and CHRISTOPHER J.  
WITHROW,

Plaintiffs,

vs.

REGIONAL WEST MEDICAL CENTER,  
SCOTTS BLUFF COUNTY ADULT  
DETENTION CENTER, UNITED STATES  
DEPARTMENT OF JUSTICE MARSHAL  
SERVICE, STATE OF NEBRASKA, STATE  
BOARD OF HEALTH VITAL RECORDS,  
NICHOLAS MIZELLE, DEBORAH  
MIZELLE, MALLORY MIZELLE, and  
MARCI MIZELLE,

Defendants.

8:18CV469

**ORDER**

Plaintiffs, proceeding *pro se*, filed a Motion for Leave to Reply to Defendants Nicholas and Deborah Mizelle's Answer ([Filing No. 14](#)), as well as a "Verified Answer" ([Filing No. 15](#)). It appears that these documents were filed in the incorrect case. Plaintiffs' motion identifies the presiding court as the "District Court of Scotts Bluff County, Nebraska," and the Verified Answer identifies the presiding court as "The Twelfth District Court for the State of Nebraska." Also, Nicholas and Deborah Mizelle have not filed answers in this case.

Accordingly,

**IT IS ORDERED** that Plaintiffs' Motion for Leave to Reply to Defendants Nicholas and Deborah Mizelle's Answer ([Filing No. 14](#)) is denied without prejudice to reassertion. The Clerk of Court is directed to strike Plaintiffs' Verified Answer ([Filing No. 15](#)).

Dated this 24<sup>th</sup> day of October, 2018.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge